

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RONITA HINES,

Plaintiff,

Case No. 3:11-cv-409

vs.

Judge Thomas M. Rose

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Magistrate Judge Michael J. Newman

Defendant.

**ENTRY AND ORDER OVERRULING HINES' OBJECTIONS (Doc. #11)
AND SUPPLEMENTAL OBJECTIONS (Doc. #15) TO THE
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS;
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS (Doc. #7) IN ITS ENTIRETY; DISMISSING
HINES' COMPLAINT AND TERMINATING THIS CASE**

Plaintiff Ronita Hines ("Hines") brought this action pro se in the Court of Commons Pleas of Montgomery County, Ohio. This action was subsequently removed to this Court by the Defendant Commissioner of Social Security (the "Commissioner"). Following removal, the Commissioner filed a Motion To Dismiss for Lack of Jurisdiction. (Doc. #3.) The Report and Recommendations filed by Magistrate Judge Michael J. Newman on January 12, 2012 recommends that Hines' Complaint be dismissed for lack of prosecution and because Hines apparently has not exhausted her administrative remedies.¹

¹It appears that Hines received a Notice of Reconsideration from the Social Security Administration denying her application for benefits and has requested a hearing before an ALJ. (Doc. 11-1.)

Hines has filed Objections (doc. #11) and Supplemental Objections (doc. #15) to the Report and Recommendations. The time has run and Commissioner has not responded to Hines' Objections or Supplemental Objections. This matter is, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Based upon the reasoning and citations of authority set forth in the Magistrate Judge's Report and Recommendations (doc. #7) and in Hines Objections (doc. #11) and Supplemental Objections (doc. #15), as well as upon a thorough de novo review of this Court's file and a thorough review of the applicable law, this Court adopts the aforesaid Report and Recommendations in its entirety and, in so doing dismisses Hines' Complaint.

WHEREFORE, Hines' Objections and Supplemental Objections to the Magistrate Judge's Report and Recommendations are OVERRULED, and this Court adopts the Report and Recommendations of the United States Magistrate Judge (doc. #7) in its entirety. Hines' Complaint is dismissed. Finally, the captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and **ORDERED** in Dayton, Ohio, this Twenty-First Day of February, 2012.

s/Thomas M. Rose

JUDGE THOMAS M. ROSE
UNITED STATES DISTRICT COURT

Copies furnished to:
Counsel of Record
Ronita Hines at her last address of record